



**Sanford Heisler Sharp, LLP**  
1350 Avenue of the Americas, Floor 31  
New York, NY 10019  
Telephone: (646) 402-5650  
Fax: (646) 402-5651  
www.sanfordheisler.com

David Tracey, Senior Litigation Counsel  
(646) 402-5667  
dtracey@sanfordheisler.com

New York | Washington D.C. | San Francisco | San Diego | Nashville | Baltimore

April 24, 2020

**VIA ECF**

Hon. Barbara Moses  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 740  
New York, NY 10007

**Re: Julian, et al. v. Metropolitan Life Insurance Co., No. 1:17-cv-00957-AJN-BCM**  
**Motion to Compel 30(b)(6) Designee on MetLife's ESI**

Dear Magistrate Judge Moses:

We write regarding Plaintiffs' request for a pre-motion conference to compel a 30(b)(6) designee on Defendant Metropolitan Life Insurance Company's ("MetLife") electronically stored information ("ESI"). Plaintiffs filed this request via letter motion on February 20, 2020, Dkt No. 107, and Defendant filed a response in opposition on February 25, 2020, Dkt. No. 110. On February 28, 2020, the Parties jointly informed the Court that they had agreed to further meet and confer on the issues raised in their letters in order to attempt to resolve their dispute without further need for court intervention. Dkt. No. 113. On March 5, 2020, on March 13, 2020, on April 3, 2020, and on April 10, 2020, the parties informed the court that they were continuing their efforts to resolve their dispute. Dkt. No. 116, 123, 130, & 136.

In March and early April, Defendant's counsel conducted interviews with potential 30(b)(6) designees and drafted written descriptions of certain systems about which Plaintiffs seek testimony. On April 9, 2020, Defendant's counsel provided those written descriptions to Plaintiffs' counsel after relevant MetLife personnel reviewed the descriptions to ensure their accuracy. On April 15, 2020, after reviewing ESI descriptions, Plaintiffs' counsel provided Defendant's counsel with written questions concerning the systems, a request for documents relating to the ESI systems, and a request that Defendant ultimately provide its written ESI summaries under oath. Defendant's counsel is working on providing responses to these requests, which may mitigate the need for 30(b)(6) testimony on certain of the ESI systems.

Accordingly, the Parties jointly request that the Court continue to hold Plaintiffs' motion, Dkt. No. 107, in abeyance, and not set a date for a pre-motion conference until May 11, 2020. The Parties intend to inform the Court by May 8, 2020 as to whether they have resolved their dispute.

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Respectfully,

/s/ David H. Tracey

David H. Tracey  
SANFORD HEISLER SHARP LLP  
1350 Avenue of the Americas, 31st Floor  
New York, New York 10019  
(646) 402-5650

*Attorneys for Plaintiffs, the Members  
of the Collective Action, and the  
Members of the Proposed Classes*

/s/ Melissa C. Rodriguez

Melissa C. Rodriguez  
MORGAN, LEWIS & BOCKIUS  
101 Park Avenue  
New York, New York 10178  
(212) 309-6000

*Attorneys for Defendant*